

INVENTORSHIP DECLARATION BY JOINT INVENTORS

I HEREBY DECLARE THAT:

My residence, mailing address, and citizenship are stated next to my name in PART A hereof.

I believe I am the original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

CTR1 HOMOLOGUE FROM MELON

the specification of which:

was filed on July 12, 2001 as Application Serial No.  
09/904,389.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed in PART B hereof and have also identified in PART B on hereof any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

I hereby claim the benefit under Title 35, United States Code §119(e) and §120, of any United States application(s) listed in PART C hereof and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56 which occurred between the filing date of the prior application and any national or PCT international filing date of this application.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please direct all telephone calls to Peter J. Dehlinger at (650) 838-4401. Address all correspondence to:

**Perkins Coie LLP**  
P.O. Box 2168  
Menlo Park, CA 94026  
Customer No. 22918

INVENTORSHIP DECLARATION BY JOINT INVENTORSPART A: INVENTOR INFORMATION AND SIGNATUREFull name of FIRST inventor: Stephanie K. ClendennenCitizenship: U.S.A. Mailing Address: 8640 S.W. 89th Avenue  
Portland, OR 97223Residence (if different): 1111 1/2 11thInventor's Signature: Stephanie K. Clendennen Date: 10-15-01Full name of SECOND inventor: Debra K. SchusterCitizenship: U.S.A. Mailing Address: 3801 S.W. Plum Street  
Portland, OR 97219Residence (if different): 1111 1/2 11thInventor's Signature: Debra K. Schuster Date: 10-15-01INVENTORSHIP DECLARATION BY JOINT INVENTORSPART B: CLAIM TO PRIORITY OF FOREIGN APPLICATION(S) UNDER 35 U.S.C. 119(a-d)

Country	App. No.	Filing Date
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PART C: CLAIM TO PRIORITY OF U.S. PROVISIONAL AND NONPROVISIONAL  
APPLICATION(S) UNDER 35 U.S.C. 119(e) AND 120

Serial No.	Filing Date	Status
<u>60/218,307</u>	<u>14 July 2000</u>	<input checked="" type="checkbox"/> Abandoned

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

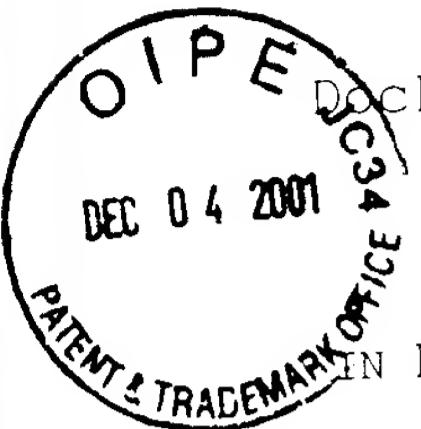
Date: October 23, 2001

By: Franklin L. Anderson

Docket No. 4257-0029.30

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



IN RE APPLICATION OF:

Stephanie K. Clendennen et al.

SERIAL No.: 09/904,389

FILED: July 12, 2001

FOR: CTR1 HOMOLOGUE FROM MELON

EXAMINER: Unknown

ART UNIT: 1638

Power of Attorney by Assignee and Certification  
Under 37 CFR §3.73(b)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, the undersigned, acting on behalf of the Assignee of

an undivided share of the entire right, title, and interest

the entire right, title and interest

in the above-identified patent application, appoint the attorneys and agents listed below to prosecute this application and transact all business with the U.S. Patent and Trademark Office in connection therewith. This appointment is to the exclusion of the inventor(s) and their attorney(s) and agent(s) in accordance with the provisions of 37 CFR 3.71.

All prior powers of attorney for this application are hereby revoked. The appointed representatives are:

Peter J. Dehlinger, Registration No. 28,006  
Judy M. Mohr, Registration No. 38,563  
LeeAnn Gorthey, Registration No. 37,337  
Linda R. Judge, Registration No. 42,702  
Larry W. Thrower, Registration No. 47,994  
Jacqueline F. Mahoney, Registration No. 48,390  
Barbara Courtney, Registration No. 42,442  
Richard Gregory, Jr., Registration No. 42,607  
Michael Martensen, Registration No. 46,901  
Chihang Amy Ng Smith, Registration No. 42,931  
Karl Sun, Registration No. 45,143  
all affiliated with Perkins Coie LLP.

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**Customer No. 22918**

In accordance with 37 CFR 3.73(b), I hereby certify that I am empowered to act on behalf of the Assignee. To the best of my knowledge and belief, title is in the Assignee.

I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, USC §1001 and that such willful false statements may jeopardize the validity of the this application or any patent resulting therefrom.

**ASSIGNEE:** Exelixis Plant Sciences, Inc.

Signature: Glen Y. Sato

Typed Name: Glen Y. Sato

Title: CFO and VP, Legal Affairs

Date: Oct. 15, 2001

Address: 170 Harbor Way, So. SF, CA 94083